

FILED

DEC 30 2021

At GARY T. BELL
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

[Use this form to sue for employment discrimination. NEATLY print in ink (or type) your answers.]

Joshua Darrell Scully

[You are the **PLAINTIFF**, print your full name on this line.]

v.

City of Michigan City (street dept)

[The **DEFENDANT** is who you are suing.]

Case Number 3:21-cv-973

[For a new case in this court, leave blank.
The court will assign a case number.]

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[The top of this page is the caption. Everything you file in this case must have the same caption.
Once you know your case number, it is VERY IMPORTANT that you include it on everything you send
to the court for this case. DO NOT send more than one copy of anything to the court.]

EMPLOYMENT DISCRIMINATION COMPLAINT

1. My address is: 812 Emily St, Michigan City, In, 46360
2. My telephone number is: (219) 561-9664
3. The Defendant's address is: 1801 Kentucky St, Michigan City, In,
46360
4. This action is brought for employment discrimination pursuant to:
 - ☒ Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17.
[race, color, gender, religion, national origin]
 - ☒ Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 to 634.
 - ☒ Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12112 to 12117.
 - ☒ Other: the Genetic Information Non discrimination Act
5. I filed a charge of discrimination with the Equal Employment Opportunity Commission or the
Indiana Civil Rights Commission on: 7-12-2021
6. The date on my Notice of Right to Sue letter is: N/A
7. The date I received my Notice of Right to Sue letter was: 9-22-2021

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement using simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how the defendant discriminated against you.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include social security numbers, dates of birth, or the names of minors.

DO: Number your paragraphs. [The first paragraph has been numbered for you.]

1. I was wrongfully terminated because I did not receive any disciplinary action before the day they fired me. Was unaware of employee complaints. Did not call off and wasn't late for work during the start of my shift until the end of my shift. Completed all my work duties successfully. The supervisor indicated that he was concerned for my safety on the day he terminated me and felt as if I was too incapable or disabled to complete my job task successfully. I am currently on Social Security disability insurance and also Social Security insurance and though my supervisor knew I had a disability he wrongfully terminated me instead of providing me any assistance for my disabilities.

2 It seems also as if my Supervisor and Co-workers were planning to get me terminated with these complaints ~~because~~ they were illegitimate and untrue. within the complaints one employee mentioned that I was looking through a fence when there were fences within our entire working environment. One employee said that I stuck my finger down my throat and made myself throw up which is not true. If the supervisor felt as if I was under any influence I would have complied with taking a random drug screen, etc. There were all untrue or illegal reason on why they terminated me.

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

There were no injuries or damages that occurred.

RELIEF – If you win this case, what do you want the court to order the defendant to do?

Pay 250,000.00 (Two hundred and fifty thousand dollars)
for lost wages, turning down other job opportunities to take the
street dept job, discrimination, wrongful termination, and emotional
distress

DOCUMENTS – I have attached a copy of the following documents:

- ☐ Charge Of Discrimination form filed with the Equal Employment Opportunity Commission or the Indiana Civil Rights Commission
- ☒ Notice of Right to Sue letter
- ☐ Other: _____

FILING FEE – Are you paying the filing fee?

- ☐ Yes, I am paying the \$402.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. [If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]
- ☒ No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

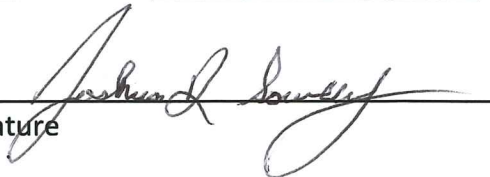
[Initial Each Statement]

JS I will keep a copy of this complaint for my records.

JS I will promptly notify the court of any change of address.

JS I declare **under penalty of perjury** that the statements in this complaint are true.

Signature



Date

12-28-2021